



PREPROPOSAL STATEMENT OF INQUIRY

(RCW 34.05.310)

CR-101 (7/22/01)

Do **NOT** use for expedited rule making

Agency: Department of Labor and Industries

Subject of possible rule making:

Chapter 296-62 WAC, General Occupational Health Standards

Chapter 296-841 WAC, Respiratory Hazards

(a) Statutes authorizing the agency to adopt rules on this subject:

RCW 49.17.010, RCW 49.17.040, RCW 49.17.050, RCW 49.17.060

(b) Reasons why rules on this subject may be needed and what they might accomplish:

The department is proposing to rewrite and clarify requirements relating to Arsenic. The department is amending the rule in chapter 296-62 WAC to only apply to agriculture and proposing arsenic as a new chapter. This rulemaking is part of our goal to rewrite all of WISHA's general occupational safety and health rules for clarity. The department may also incorporate federal changes and departmental interpretative policies and eliminate unnecessary requirements and outdated terminology. References will also be updated through other WISHA rules.

(c) Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

No other state or federal agencies, other than Occupational Safety and Health Administration (OSHA), are known that regulate this subject.

(d) Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe)

The department must adopt rules identical to or at least as effective as OSHA rules as required by the OSHA/WISHA state plan agreement. Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

(e) How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

Jamie Scibelli, Administrative Regulations Analyst

WISHA Services Division

Post Office Box 44620

Olympia, Washington 98504-4620

(360) 902-4568

Fax (360) 902-5529

E-mail: Scij235@lni.wa.gov

NAME (TYPE OR PRINT)

Paul Trause

SIGNATURE

TITLE

Director

DATE

March 23, 2004

CODE REVISER USE ONLY

WSR 04-07-156